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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
BLACKWATER SECURITY CONSULTING, LLC and :  
FIDELITY & CASUALTY COMPANY OF NEW :  
YORK/CNA INTERNATIONAL, :  
:  
Plaintiffs/Petitioners, : Case No.  
:  
v. : 07-cv-5565 (RJH)  
:  
:  
PATRICIA IRBY (on behalf of the minor :  
children of STEPHEN S. HELVENSTON, :  
deceased), JUNE BATALONA (widow of WESLEY :  
BATALONA), and DIRECTOR, OFFICE OF :  
WORKERS' COMPENSATION PROGRAMS, UNITED :  
STATES DEPARTMENT OF LABOR, :  
:  
Defendants/Respondents. :  
:  
-----X

**NOTICE OF VOLUNTARY DISMISSAL OF  
COMPLAINT/PETITION FOR REVIEW**

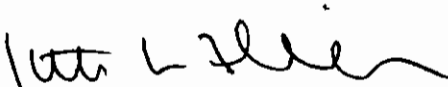
In light of the August 10, 2007 decision of the United States Court of Appeals for the Second Circuit in Blackwater Security Consulting, LLC, et al. v. Patricia Irby, et al., Docket Number 07-1993-ag, which decision dismissed the appeal filed by Blackwater Security Consulting, LLC and Fidelity & Casualty Company of New York/CNA International on the grounds

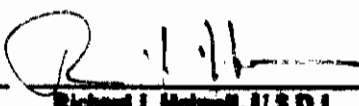
that the order appealed from was a non-final, and thus non-appealable, order, Plaintiffs/Petitioners Blackwater Security Consulting, LLC and Fidelity & Casualty Company of New York/CNA International hereby voluntarily dismiss without prejudice the Petition for Review filed on June 11, 2007 pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

Dated: New York, New York  
August 21, 2007

FLICKER, GARELICK & ASSOCIATES, LLP  
Attorneys for Plaintiffs/Petitioners

By:

  
\_\_\_\_\_  
Keith L. Flicker (KF-6447)  
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The clerk of the court is directed to close this case.	
SO ORDERED:	
Date: 9/6/07	
Richard J. Holwell, U.S.D.J.	